

REMARKS

In this reply claims 1, 11, 12 and 22 have been amended, claims 4, 15 and 25 have been cancelled and new claims 32 and 33 have been added.

In the Office Action mailed May 23, 2005, the Examiner based her rejections on the Beeson, Hollon, Siddiqui, Eagleson references. Independent claims 1, 11, 12 and 22 have each been amended in a manner that is believed to distinguish these claims from the aforementioned references cited by the Examiner. In particular, each of the independent claims has been amended to recite, in some manner, the displaying of a warning message after receipt of the beacon activation command and prior to the activation of the beacon (in response to the beacon activation command).

While the Examiner has asserted that the displaying of a warning message is disclosed in the Saddiqui reference, and therefore obvious in view of the Beeson and Hollon references, this assertion is respectfully transverse in view of the recitation of elements in independent claims 1, 11, 12 and 22, as currently amended.

In the Saddiqui reference, the advisory indication/warning tone or message considered by the Examiner to be analogous to a "warning message" as set forth in the claims is sent to a Mobile Station (MS) 20 in a Location Update Acknowledgement message 285 (see the Saddiqui reference at col. 6, lines 13-23). However, what the Examiner fails to consider is that fact that in the Saddiqui reference, the Location Update Acknowledgement message 285 is sent to a MS (e.g., a wireless phone) after raw GPS coordinates representing the location of the MS are sent from the MS to the Mobile Switching Center (MSC) 14 in a Location Updating Message 280 sent prior to the sending of the Location Update Acknowledgement message 285 which is sent to the MS 20 by the MSC 14 (see the Saddiqui reference col. 5, line 45 to col. 6, line 4 and Figs 3, 5 and 6).

As a consequence, the description of the Saddiqui reference provides no description, suggestion, teaching or motivation whatsoever to one of ordinary skill in the art to the displaying of a warning message (that indicates pending beacon activation) prior to the activating of a beacon in which location information is embedded in the manner recited in amended claims 1, 11, 12 and 22. In fact, the Saddiqui reference teaches away this recitation – one of ordinary skill in the art would read the Saddiqui reference to require the receipt of location information prior to the display of the warning message and not after as recited in independent claims 1, 11, 12 and 22, as amended.

Therefore, for at least these reasons, independent claims 1, 11, 12 and 22, as amended are believed to be patentably distinguishable over the combination of the Beeson, Hollon and Saddiqui references, and thus allowable. The remaining pending claims each depend from one of these independent claims and, therefore, are believed to be in condition for allowance at least by virtue of their respective dependencies.

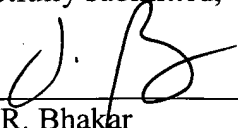
Conclusion

Thus, at least for the reasons stated above, claims 1, 3, 5-12, 14, 16-22, 24 and 26-33, as currently presented, are believed to be in condition for allowance. If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (650) 843-3215. In addition, if for any reason an insufficient fee has been paid, the Examiner is hereby authorized to charge the insufficiency to Deposit Account No. 05-0150.

Date: September 9, 2005

Squire, Sanders & Dempsey L.L.P.
600 Hansen Way
Palo Alto, CA 94304
Telephone (650) 856-6500
Facsimile (650) 843-8777

Respectfully submitted,

By: 
Vidya R. Bhakar
Registration No. 42,323